

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

| | | |
|-----------------------|---|--------------------------|
| IN RE | * | BKRTCY. NO. 16-04096 BKT |
| IVETTE PEREZ DE JESUS | * | CHAPTER 13 |
| DEBTOR | * | |

NOTICE OF FILING OF AMENDED CHAPTER 13 PLAN
AND CERTIFICATE OF SERVICE

TO THE HONORABLE COURT:

COMES NOW, **IVETTE PEREZ DE JESUS**, debtor in the above captioned case, through the undersigned attorney and very respectfully states and prays as follows:

1.The debtor is hereby submitting an amended Chapter 13 Plan, dated February 13, 2017, herewith and attached to this motion.

2.The Plan is amended provide for post-petition present value interest (7.95%) to secured claim First Bank (POC #3-2) and increase the proposed Plan base to \$57,860.00 in order to cure the “insufficiently funded” issue raised by the Chapter 13 Trustee in the *Trustee’s Objection to Proposed Plan Confirmation Under Section 1325*, docket entry #30, and First Bank’s *Objection to Confirmation* docket entry #20, filed in above captioned case.

I CERTIFY, that on this same date a copy of this Notice was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13 Trustee, and all CM/ECF participants; I also certify that a copy of this notice was sent regular mail to the debtors and to all creditors and parties in interest appearing on the master address list, hereby attached.

NOTICE

You are notified that within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk’s office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

Page -2 –
Notice of Amended Chapter 13 Plan
Case no. 16-04096 BKT13

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 13th day of February, 2017.

/s/Roberto Figueroa Carrasquillo
USDC #203614
RFIGUEROA CARRASQUILLO LAW OFFICE PSC
ATTORNEY FOR PETITIONER/DEBTOR
PO BOX 186 CAGUAS PR 00726
TEL NO 787-744-7699 FAX 787-746-5294
Email: rfigueroa@rfclawpr.com

United States Bankruptcy Court
District of Puerto Rico, San Juan Division

IN RE:

Case No. **3:16-bk-4096**

PEREZ DE JESUS, IVETTE

Chapter **13**

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☐ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

| | | | | | | | | | | | | | |
|---|------------------|--|------------------|----------------------------------|-----------------|-------------------------------------|------------------|-----------------------|--|-----------------------|--|--|--|
| PLAN DATED: _____ <input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION | | <input checked="" type="checkbox"/> AMENDED PLAN DATED: 2/13/2017 Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other | | | | | | | | | | | |
| <p align="center">I. PAYMENT PLAN SCHEDULE</p> <table style="width:100%;"> <tr> <td>\$ 650.00 x 16 = \$</td> <td>10,400.00</td> </tr> <tr> <td>\$ 915.00 x 8 = \$</td> <td>7,320.00</td> </tr> <tr> <td>\$ 1,115.00 x 36 = \$</td> <td>40,140.00</td> </tr> <tr> <td>\$ _____ x _____ = \$</td> <td></td> </tr> <tr> <td>\$ _____ x _____ = \$</td> <td></td> </tr> </table> <p align="right">TOTAL: \$ 57,860.00</p> <p>Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from: _____</p> <p><input type="checkbox"/> Sale of Property identified as follows: _____ _____</p> <p><input type="checkbox"/> Other: _____ _____</p> <p>Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____</p> | | \$ 650.00 x 16 = \$ | 10,400.00 | \$ 915.00 x 8 = \$ | 7,320.00 | \$ 1,115.00 x 36 = \$ | 40,140.00 | \$ _____ x _____ = \$ | | \$ _____ x _____ = \$ | | <p align="center">II. DISBURSEMENT SCHEDULE</p> <p>A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____</p> <p>B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows:</p> <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. Firstbank POC#01 Cr. _____ Cr. _____ # x4473 POC 01-1 # _____ # _____ \$ 1,539.87 \$ _____ \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. Firstbank Puerto Ric Cr. _____ Cr. _____ # 4160000217909 # _____ # _____ \$ 46,986.78 \$ _____ \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input checked="" type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: AEELA 5. <input type="checkbox"/> Other: _____ 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: Sistema de Retiro El Firstbank POC#01 <p>C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2)</p> <p>D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims.</p> <ol style="list-style-type: none"> 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ <p>Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____</p> 2. Unsecured Claims otherwise receive PRO-RATA disbursements. <p>OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) "Tax refunds will be devoted each year, as periodic payments, to the Plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. the debtor (s) shall seek court's authorization prior any use of funds. * First Bank PR secured claim POC #3-1, this mortgage loan matured in May/2016, thus, 11 USC Section 1322(c) applies; the debtor proposes to pay through the Trustee the claim's full principal balance (\$31,602.10) plus interest (present value) at a contractual rate of 7.95% (\$13,131.75) plus expenses (\$2,252.93) for a total sum of \$46,986.78.</p> | |
| \$ 650.00 x 16 = \$ | 10,400.00 | | | | | | | | | | | | |
| \$ 915.00 x 8 = \$ | 7,320.00 | | | | | | | | | | | | |
| \$ 1,115.00 x 36 = \$ | 40,140.00 | | | | | | | | | | | | |
| \$ _____ x _____ = \$ | | | | | | | | | | | | | |
| \$ _____ x _____ = \$ | | | | | | | | | | | | | |
| PROPOSED BASE: \$ 57,860.00 | | | | | | | | | | | | | |
| <p align="center">III. ATTORNEY'S FEES (Treated as § 507 Priorities)</p> <p>Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ 2,768.00</p> | | | | | | | | | | | | | |
| Signed: <u>/s/ IVETTE PEREZ DE JESUS</u> Debtor | | | | | | | | | | | | | |
| _____ Joint Debtor | | | | | | | | | | | | | |

Attorney for Debtor **RFiguerola Carrasquillo Law Office PSC**

Phone: **(787) 744-7699**

Label Matrix for local noticing
0104-3
Case 16-04096-BKT13
District of Puerto Rico
Old San Juan
Mon Feb 13 11:28:07 AST 2017

FIRST BANK PUERTO RICO
MARTINEZ & TORRES LAW OFFICES, P.S.C.
PO BOX 192938
SAN JUAN, PR 00919-3409

US Bankruptcy Court District of P.R.
Jose V Toledo Fed Bldg & US Courthouse
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

AEELA
PO Box 364508
San Juan, PR 00936-4508

Asoc Emp Ela
PO Box 364508
San Juan, PR 00936-4508

Dsnb Macys
9111 Duke Blvd
Mason, OH 45040-8999

FIRSTBANK PUERTO RICO
BANKRUPTCY DIVISION 475
PO BOX 9146
SAN JUAN PR 00908-0146

Firstbank Puerto Rico
PO Box 11856
San Juan, PR 00910-3856

Firstbank Puerto Rico
PO Box 9146
San Juan, PR 00908-0146

MIDLAND FUNDING LLC
PO BOX 2011
WARREN, MI 48090-2011

Portfolio Recovery Ass
120 Corporate Blvd Ste 1
Norfolk, VA 23502-4952

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Sistema de Retiro ELA
PO Box 42003
San Juan, PR 00940-2203

Syncb/Sams Club
4125 Windward Plz
Alpharetta, GA 30005-8738

World Financial Network Bank
277 Park Ave
New York, NY 10172-0003

IVETTE PEREZ DE JESUS
NEW CENTER PLAZA 210 C JOSE OLIVER 510
SAN JUAN, PR 00918

JOSE RAMON CARRION MORALES
PO BOX 9023884
SAN JUAN, PR 00902-3884

MONSITA LECAROS ARRIBAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901

ROBERTO FIGUEROA CARRASQUILLO
PO BOX 186
CAGUAS, PR 00726-0186

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Portfolio Recovery Associates, LLC
PO Box 12914
Norfolk, VA 23541-0914

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d) FIRST BANK PUERTO RICO
MARTINEZ & TORRES LAW OFFICES, P.S.C
PO. BOX 192938
SAN JUAN, PR 00919-3409

| | |
|---------------------|----|
| End of Label Matrix | |
| Mailable recipients | 18 |
| Bypassed recipients | 1 |
| Total | 19 |